

COMMISSION HEARING OFFICER DIRECTIVE

ADMINISTRATIVE
MATTERS

☐

DATE May 24, 2007

MOTOR CARRIER
MATTERS

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DOCKET
NO. 2004-219-E

UTILITIES MATTERS

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ORDER NO. N/A

HEARING OFFICER: **B. Randall Dong**

DOCKET DESCRIPTION:

In re: Petition of Progress Energy Carolinas, Inc. to Terminate Service

ADMINISTRATIVE MATTERS UNDER CONSIDERATION:

Objections to Commission Order No. 2007-298 and Motion to Reconsider, to Rescind Order, and for Extension of Time to File Pleadings and for Continuance, mailed and faxed to Charles L.A. Terreni on May 17, 2007.

HEARING OFFICER ACTION:

The filing by Mrs. Weaver seeking reconsideration or rehearing and modification or rescission of Order No. 2007-298 is rejected as untimely and therefore denied in accordance with S.C. Code Ann. §58-27-2150. While Mrs. Weaver has specifically represented to the Commission in her cover letter to Mr. Terreni that she received her copy of Order No. 2007-298 on May 7, 2007, the return receipt card indicates that the U.S. Postal Service delivered Order No. 2007-298 to Mrs. Weaver, and that she personally signed the card acknowledging receipt thereof, on May 5, 2007. Her Motion, while dated May 15, 2007 on the face of the document, was faxed and mailed on May 17, 2007, 12 days after she acknowledged service of the order by signing the receipt card. Section 58-27-2150 requires applications for rehearing to be made within ten days of notice of entry of the order or decision from which the applicant seeks relief. Mrs. Weaver's filing is therefore untimely, and accordingly, it must be rejected and the relief sought must be denied.